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Memorandum

Date: March 20, 2012

To: LaDonna Turner, Site Assessment Manager
Technical and Enforcement Branch
U.S. Environmental Protection Agency, Region 6

From: Phyllis Bustamante
Acting Manager, Superfund Oversight Section
New Mexico Environment Department, Ground Water Quality Bureau

Subject: Pre-CERCLIS Screening Assessment of the Rio Puerco Mine (Grants Mining District), Sandoval County, New Mexico:
Further Investigation under CERCLA Recommended

Site name	Rio Puerco Mine	Alternate name	Kerr McGee, Uranium King	Address	P.O. Box 222
City	Peralta	State	New Mexico	Zip code	87042
County	Sandoval				
Latitude	35.271444	Longitude	-107.198028	TRS	T12N, R3W, Sec 18, SW & NW

Site physical description:

The Rio Puerco Mine ("Site") is located approximately 25 miles north of Interstate 40 Exit No. 131 for Cibola, NM (Ref. 1). The Rio Puerco Mine is located in Sandoval County near the Sandoval-Valencia County line in the La Gotera 7.5 minute USGS 1:24000 scale topographic map quadrangle at latitude 35.271444, longitude -107.198028, and approximate elevation of 6,420 ft. above sea level (Ref. 2). The Rio Puerco Mine is located in the western center part of Section 18 in the SW and NW quadrants (Ref. 2). The Site is approximately seven miles east, southeast of the community of Marquez, NM, and it is estimated to comprise an area of approximately 12 acres (Ref. 3).

Figure 1 is a regional location map of the Rio Puerco Mine. Figure 2 is a topographic site map of Section 18 that includes the Rio Puerco Mine. Figure 3 is a Google Earth aerial view map of the Rio Puerco Mine features looking southeastward across the Site. Figure 4 is a copy of the 2008 Abandoned Mine Land (AML) survey map of the Site. Figures 1, 2, 3, and 4 are contained in Attachment A.

The Site is located east of the Mount Taylor volcanic complex in the eastern part of the Marquez Sub-District in the far eastern section of the Grants Mining District (Ref. 4). The Rio Puerco Mine is located on an un-named, low-lying mesa in the upper portion of the very arid drainage area for the Cañon del Piojo arroyo (Ref. 2). The Site is located within the Rio Puerco Watershed of the Middle Rio Grande Water Planning Region (Ref. 5) on lands under the jurisdiction of the Bureau of Land Management (Ref. 6).

Site identification:

The Site is one of numerous legacy uranium sites within the Grants Mining District, Marquez Sub-District, Rio Puerco Watershed, Middle Rio Grande Basin (Ref. 4 and Ref. 5)

Site summary:

The Site is part of the uranium mineralization trend which occurs in the Morrison Formation, Westwater Canyon Member of the Grants Mineral Belt (Ref. 7, and Ref. 8). The Rio Puerco Mine was originally named, the "Uranium King Mine" according to information contained in the NMED file for Discharge Permit (DP) 16 (Ref. 9 and Ref. 10). In 1968, Karl F. Meyers, doing business as Summit Partners, encountered uranium in a drill hole at a depth of 830 ft. in the Rio Puerco area about 50 miles northwest of Albuquerque, NM. The discovery was sold to the Kerr McGee Corporation of Oklahoma City, OK in 1970. Kerr McGee spent \$15 million in proving and developing the Uranium King mining claim. Kerr McGee drilled three monitor wells in August 1976 to collect information about the occurrence of ground water and hydraulic head in the Westwater Canyon formation. Kerr McGee began construction of the mine shaft in February 1977 and supposedly finished the excavation of the shaft and underground stations at the end of 1978 (Ref. 9). In 1979 approximately 10,000 tons of ore were mined and milled by Kerr McGee.

Information reviewed in the DP-16 file indicated the NM Environmental Improvement Agency (NMEID), the predecessor to NMED, conducted a site inspection of the Rio Puerco mining facility on September 8, 1977, and observed the discharge of mine water into an excavated pond for which no plans and specifications had been submitted to the Agency. From this date to 1988, the DP-16 file contains correspondence between NMEID and Kerr McGee describing the monitoring and reporting requirements for the state discharge permit. The discharge water was contained in ponds that were constructed with earth liners although no specific design plans and specifications are found in the file. There is discussion in the file that the ponds were proposed for a polyethylene liner, but it appears they were never installed. The depth to ground water is reported to be 200 to 350 ft. (Ref. 9).

Fifteen quarterly monitoring reports from 1978 to 1982 are contained in the DP-16 file. Eight quarterly monitoring reports contain information about the discharge flow rate and laboratory results of a sample of mine discharge effluent. The discharge flow ranged from approximately 0.4 million gallons per day (MGD) in 1978 to 2.1 MGD in late 1979. The total dissolved solids (TDS) concentration of the discharge was above 1,200 milligrams/liter (mg/l), the sulfate concentration was generally around 550 mg/l, and the pH was around 8.8 – 8.9. The TDS, sulfate, and pH concentrations reflect the natural geochemical conditions of a sodium-bicarbonate+sulfate type water which is typical for the Westwater Canyon Member of the Morrison Formation (Ref. 8 and Ref. 11). Since the ground water naturally contains a TDS concentration greater than 1,000 mg/l it is generally classified as "brackish" (Ref. 11). Information presented in the quarterly monitoring reports indicated the mine discharge water never exceeded the state surface water quality standards for metals including uranium and radium 226+228 (Ref. 9).

The mine was idle from 1980 to 1987. In 1987 Kerr McGee deeded back to Uranium King the proven, unpatented lode mining claims (Ref. 9). These claims contain over 5 million pounds of uranium oxide (U₃O₈) as well as the mine shaft, pumps, generators, power stations, surface plant, fuel tanks, powder magazines, et cetera. The fee land contiguous to the mining claims is owned by the rancher (25%), Summit Partners (37.5%), and Kerr McGee (37.5%). Rio Algom (BHP Billiton) has since purchased all the remaining Kerr McGee uranium rights in NM.

According to the information from the New Mexico Energy, Mineral, and Natural Resource Department, Mining and Minerals Division (MMD), the Rio Puerco Mine operated from 1979 to 1980; produced less than 20,000 lbs of uranium oxide; and the mine is exempt from state regulation under the Mining and Reclamation Program or MARP (Ref. 6).

An Abandoned Mine Land (AML) survey was performed in 2008 on the Rio Puerco Mine by a contractor to MMD (Ref. 2). Figure 4 is taken from the 2008 AML survey report. In the area around the Rio Puerco Mine radioactivity counts were reported up to 600 microRoentgens per hour (uR/hr) in the area of the waste rock dumps (Ref. 2). Background radioactivity levels are in the range of 14 to 20 uR/hr. Many original mine

operation buildings are present at the Site under non-secure conditions such that physical, chemical, and radiological hazards are evident. It is suspected that oil spilled on and around the electric transformer concrete mounting pads and adjacent soil may contain polychlorinated biphenols (PCBs). The fence surrounding part or all of the Site is not secure. Trespassers and animals can easily enter and leave this remote site. Attachment B contains photographs from the 2008 AML survey.

Figure 3 and Figure 4 clearly show the mine dewatering effluent ponds at the south end of the Site, and the mine waste rock material that is present in the eastern and western parts of the Site. The waste rock material is elevated in radioactivity above background according to the measurements from the 2008 AML survey report. Figure 5 is the 2009 Google Earth aerial photograph of the Rio Puerco Mine showing the upper part of the ephemeral drainage for the Cañon del Piojo arroyo (Ref. 2 and Ref. 12). The 7.5 minute topographic map for this part of the La Gotera quadrangle indicates two possible spring locations approximately one mile from the Rio Puerco Mine. Hand-written notes on the NMED copy of the La Gotera quadrangle map indicate a private well is located about 0.5 miles west of the Site at the junction of the main access roads. The 2008 AML survey report indicates two wells are located within a one mile search radius of the Site (Ref. 2).

The Marquez Sub-District and Rio Puerco Mine areas were visited by investigators working for the National Uranium Resource Evaluation (NURE) Project in 1979 (Ref. 13). Dry sediment samples were collected, sieved, and submitted for laboratory analysis of metals and select radionuclides. Figure 6 presents the general location of two NURE sediment sample locations near the Rio Puerco Mine Site (See Attachment A). The laboratory data for NURE sediment sample locations in the La Gotera 7.5 minute quadrangle has not been formally evaluated and presented in any report to date. Ground water samples from wells in the area were also collected and analyzed under the NURE program but the suite of parameters is limited and the source of the water would have to be assessed with respect to well information. The existence of two springs is noted at locations north of the Site in the Cañon del Piojo drainage at a distance of approximately 1.5 miles (Ref. 2). It is unknown if these springs discharge water from alluvium, bedrock, or a combination of both aquifer units.

Targets:

The Site is located within an unnamed ephemeral drainage that is part of the Cañon del Piojo watershed. Surface and ground water in Section 18 appear to flow northeastward and eastward toward the Rio Puerco Basin, the largest tributary to the Middle Rio Grande Basin (Ref. 5). The Cañon del Piojo Creek ephemeral drainage system is probably in hydraulic connection with bedrock aquifer units in the area (Ref. 9). There is a potential for contaminants at the Site to become mobilized by wind and surface water to where off site exposure is a possibility. The Site is located in a remote area, and could be accessed by trespassers traveling along the many dirt roads in the area. It is assumed the Site is accessible by cattle and local animals like deer, coyotes, and prairie dogs.

Mining operations at the Rio Puerco Mine included dewatering and discharge of ground water. Waste rock exposed at the Rio Puerco Mine surface may contribute contaminant releases that propagate episodically down gradient in response to ephemeral stream flows within the Cañon del Piojo drainage system. Current details of alluvial ground water flow are unknown, but are thought to follow the general topographic slope (i.e., locally northeast-east from the Site in the direction of surface water flow). Such alluvial ground water impacts may also propagate into underlying bedrock aquifers through stratigraphic, structural, and/or anthropogenic (e.g., leaky wells, mine shafts) interconnections.

Well records from the New Mexico Office of the State Engineer (OSE) that are for wells located within increments of a four-mile radius of the Site are shown in Table 1 (Ref. 14). Figure 7 presents a map of the well locations within a four-mile distance ring radius of the Rio Puerco Mine. The 2008 AML survey report indicated well no. RG27310 is located in the southwest corner of the Site.

Site ownership and Potential Responsible Parties:

The history of site ownership and potential responsible parties information includes the following. The Rio Puerco Mine is located on BLM land (Ref. 6). Originally, Mr. Karl Meyers and Summit Partners-Uranium King Corporation discovered the ore deposit in 1968 (Ref. 9). Meyers sold the discovery (mineral rights?) to Kerr McGee in 1970. In the late 1970s (beginning in mid-1977?), Kerr McGee began dewatering and limited ore extraction operations at the Site. The mine was idle from 1980 to 1987 and in 1987 Kerr McGee sold the discovery back to the Uranium King Corporation (Ref. 9). In 2005 Mr. Meyers doing business as Mineral Energy and Technology Corporation applied for a renewal of National Pollution Discharge Elimination System (NPDES) permit no. NM0028169 which was certified to comply with the Clean Water Act by NMED (Ref. 9). The NPDES permit for the Rio Puerco Mine was recently renewed for another five years by EPA Region 6 (6WQ-PP) according to a telephone conversation with Mr. Isaac Chen (Ref. 15 and Ref. 16). This permit application documentation indicates Mr. Meyers is doing business as Resurrection Mining, LLC – Rio Puerco Mine from a post office box in Peralta, NM (Ref. 15).

File review:

Files and information sources that were reviewed for this assessment are listed below.

Site reconnaissance:

NMED has not made an attempt to visit and screen the Rio Puerco Mine for hazards.

Recommendation:

Additional investigation of the Site under CERCLA authority is recommended to assess the areal extent of elevated radioactivity readings noted in the Site reconnaissance to determine if threats to human health and the environment exist. NMED also recommends assessment of sediments in the Site vicinity in order to evaluate the potential occurrence of impacts from dispersal of waste materials that have been left on-Site.

The Site should be formally characterized for the radionuclide concentration in the soil profile following a methodology that incorporates a specific grid design and sample node spacing interval to enable the correlation of field readings with laboratory soil sample analysis. The field and laboratory data from the next phase of Site characterization and assessment would indicate the extent of potential hazardous material release and the threat it would present to on site and off site receptors via the soil exposure pathways. Potential physical hazards at the Site, especially the long term performance of soil cover and backfilling of the Shaft should be assessed and mitigated as soon as possible.

Radiological surveying and limited sampling of the 0-6 inch interval of soil at the Site is recommended to determine the extent of potential releases to the surface. Some samples of the soil profile at intervals of 12, 24, 36, and 48 inches may be appropriate at some locations if field and/or laboratory results indicate more characterization is necessary.

Currently, the existence of regional impacts from legacy uranium sites to the ground water system has not been determined. It appears unlikely that the release of mine dewatering effluent during the period of mine development was a detriment to ground water quality because the discharge was not subject to much, if any, anthropogenic treatment. Natural exposure of ground water to atmospheric conditions may have caused the water to become more oxidizing and thus could have caused contaminants like uranium to assume a more mobile form. The discharged ground water from dewatering could have acquired dissolved forms of ions like nitrate, sulfate, and maybe some metals as it moved down through the soil column in the nearby arroyo.

References:

1. Exit Explorer, Highway I-40, Exit 131, Cibola, New Mexico, <http://exitexplorer.com/exit.php?e=I-40-NM-131&d=12&f=custom>.
2. USGS, 1961 and 1980. La Gotera, N, Mex. 7.5 minute quadrangle topographic map, 1:24,000 scale.
3. Souder Miller Associates, 2008. Abandoned Uranium Mine Field Survey Project, prepared for NM EMNRD, MMD, 7/18/2008, 220 p.
4. U.S. Environmental Protection Agency Region 6 Superfund Program, Assessment of Human and Environmental Impacts from Uranium Mining and Milling, Five Year Plan Grants Mining District New Mexico, August 2010, Figure 1, http://www.epa.gov/region6/6sf/newmexico/grants/nm_grants_alldistricts_mines_mills.pdf
5. New Mexico Office of the State Engineer, Middle Rio Grande Regional Water Plan 2000-2050, August 2004, Vol. 1, <http://www.ose.state.nm.us/water-info/NMWaterPlanning/regions/MiddleRioGrande/AppC-1-ReferencesExecutiveSummaries.pdf>.
6. New Mexico Energy, Mineral and Natural Resources Department, undated. "2007-07-20 to NMED-GWQ-Sfund.xls." Spreadsheet excerpt.
7. Kelley, V. C., compiler, 1963, Geology and technology of the Grants uranium region: New Mexico Bureau of Mines and Mineral Resources, Memoir 15, 277 p.
8. U.S. Department of the Interior, 1980, Uranium Development in the San Juan Basin Region – A Report on Environmental Issues, Parts 1 – 4.
9. New Mexico Environment Department, Discharge Permit 016 file, Mining and Environmental Compliance Section, Ground Water Quality Bureau, Santa Fe, NM.
10. Meyers, Karl F., September 24, 2003 letter with attachments to Eric Monroe, NMED, regarding Rio Puerco Plans. Attachment entitled, "History of the Rio Puerco Uranium Mine."
11. Freeze, R.A., and Cherry, J.A., 1979. *Groundwater*, Prentice Hall, Englewood Cliffs, N.J., 604 p.
12. Google Earth, kh.google.com, Build Date 11/13/2010, Section 1 8 area, Latitude: 35.269649; Longitude - 107.188457.
13. NURE, 1981. "National Uranium Resource Evaluation (NURE) Hydrogeochemical and Stream Sediment Reconnaissance (HSSR) Program", Brief History and Description of Data, Gallup Quadrangle (NURE HSSR study GJBX -186-80) and Grants Special Study GJBX-351-81 report, Smith, S. M., 2006. http://pubs.usgs.gov/of/1997/ofr-97-0492/quad/q_gallup.htm.
14. New Mexico Office of the State Engineer (OSE). "Jan_2011_wells." Shapefile.
15. National Pollution Discharge Elimination System Permit No. NM0028169 Fact Sheet, January 12, 2011. <http://www.epa.gov/Region06/water/npdes/publicnotices/nm/nm0028169factsheet.pdf>.
16. Telephone conversation between Isaac Chen and Earle Dixon, March 23, 2011 regarding NPDES permit no. NM0028169 for the Rio Puerco Mine.

Attachment A

Figures 1 through 7



Figure 1. Google aerial location map of the Rio Puerco Mine in the Marquez Mining Sub-district, Grants Mining District, New Mexico.

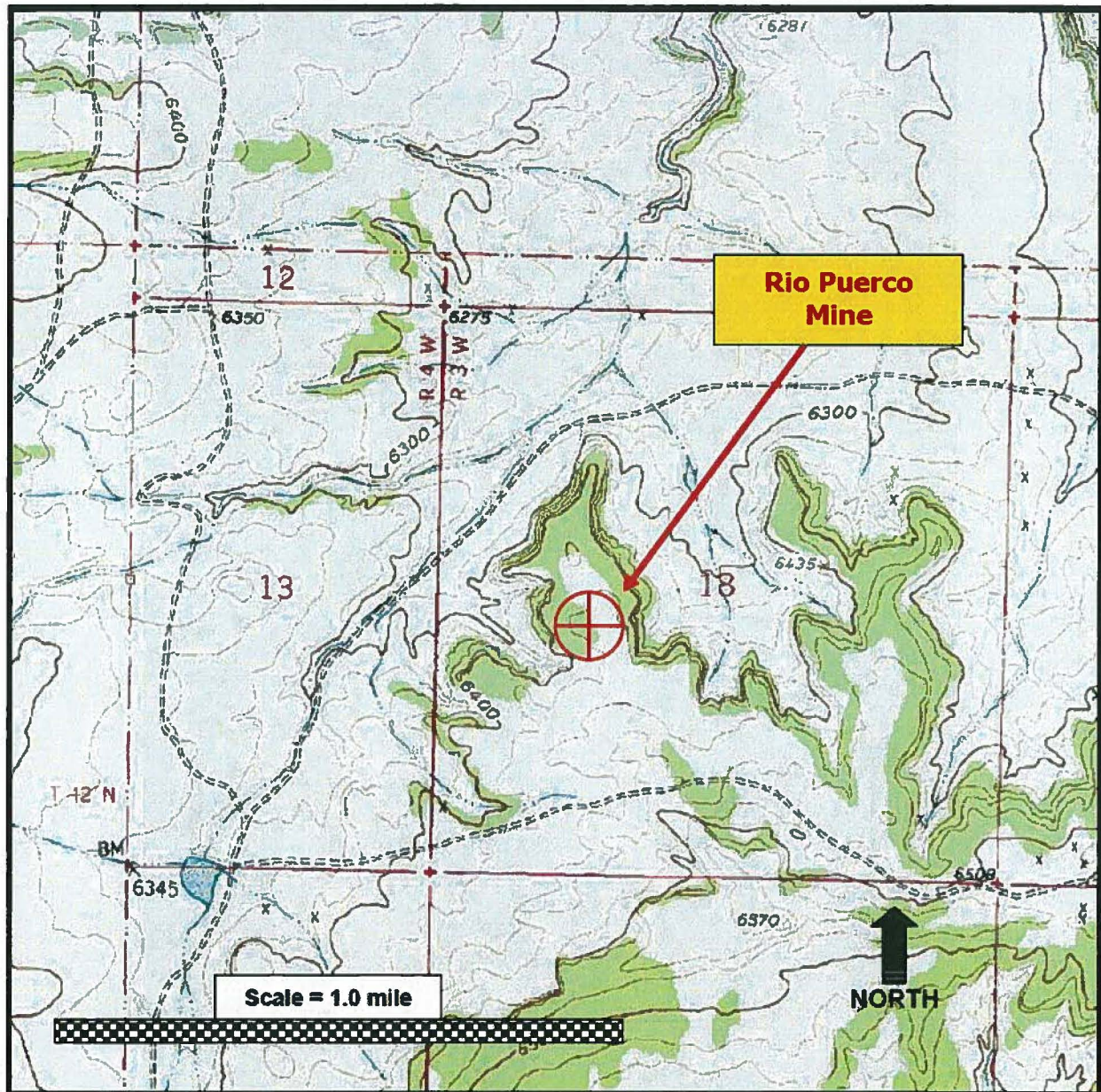


Figure 2. TopoQuest.com location map of the Rio Puerco Mine in the La Gotera Quadrangle USGS 7.5 minute topographic map, T12N, R3W, Section 18, Marquez Sub-district, Laguna, New Mexico.

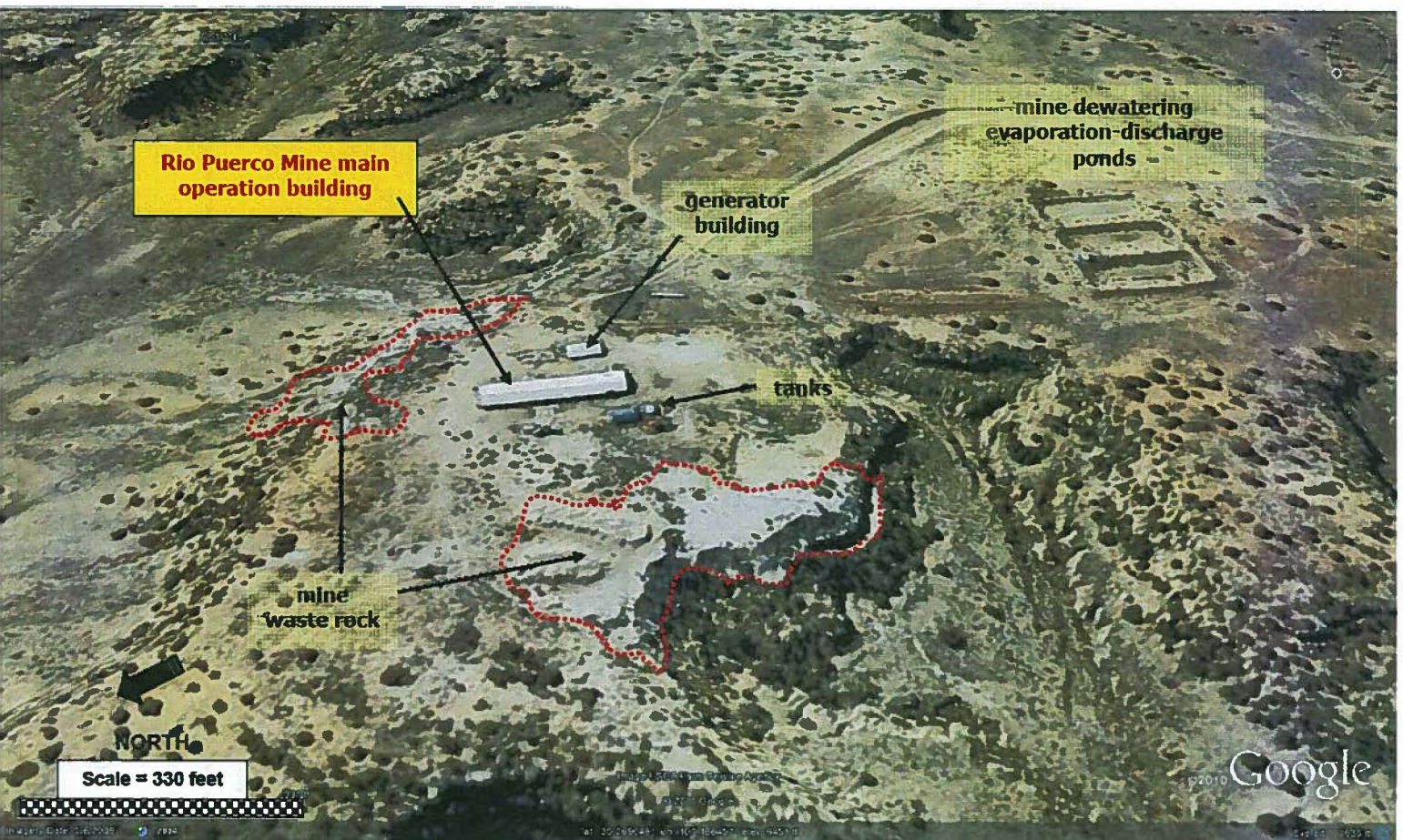


Figure 3. Google Earth aerial view map of the Rio Puerco Mine features looking southeastward across the Site, north of Laguna, New Mexico.

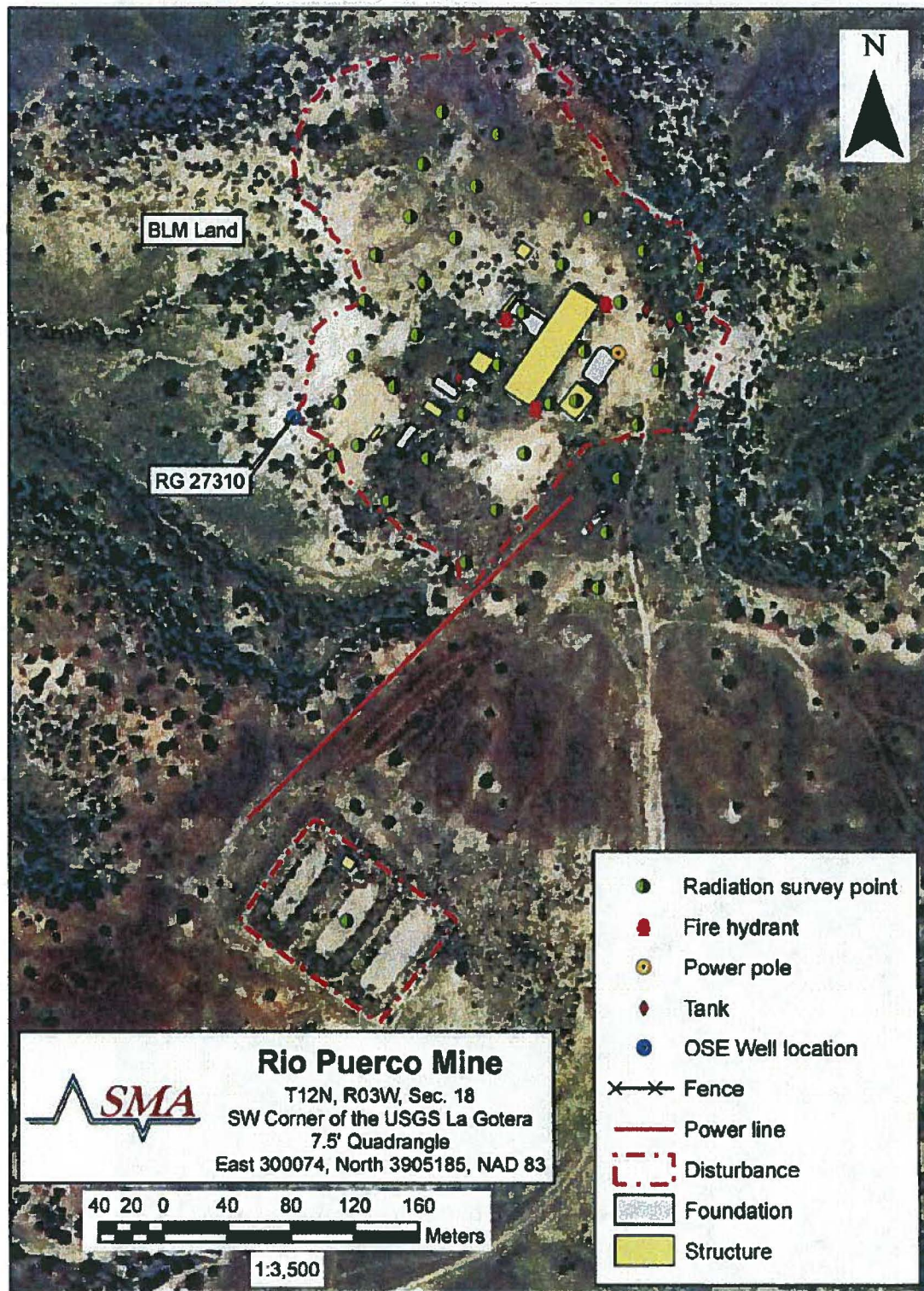


Figure 4. Location map of the Rio Puerco Mine property boundaries north of Laguna, New Mexico as presented in the 2008 Abandoned Uranium Mine Field Survey Project Report authored by Soder Miller Associates.

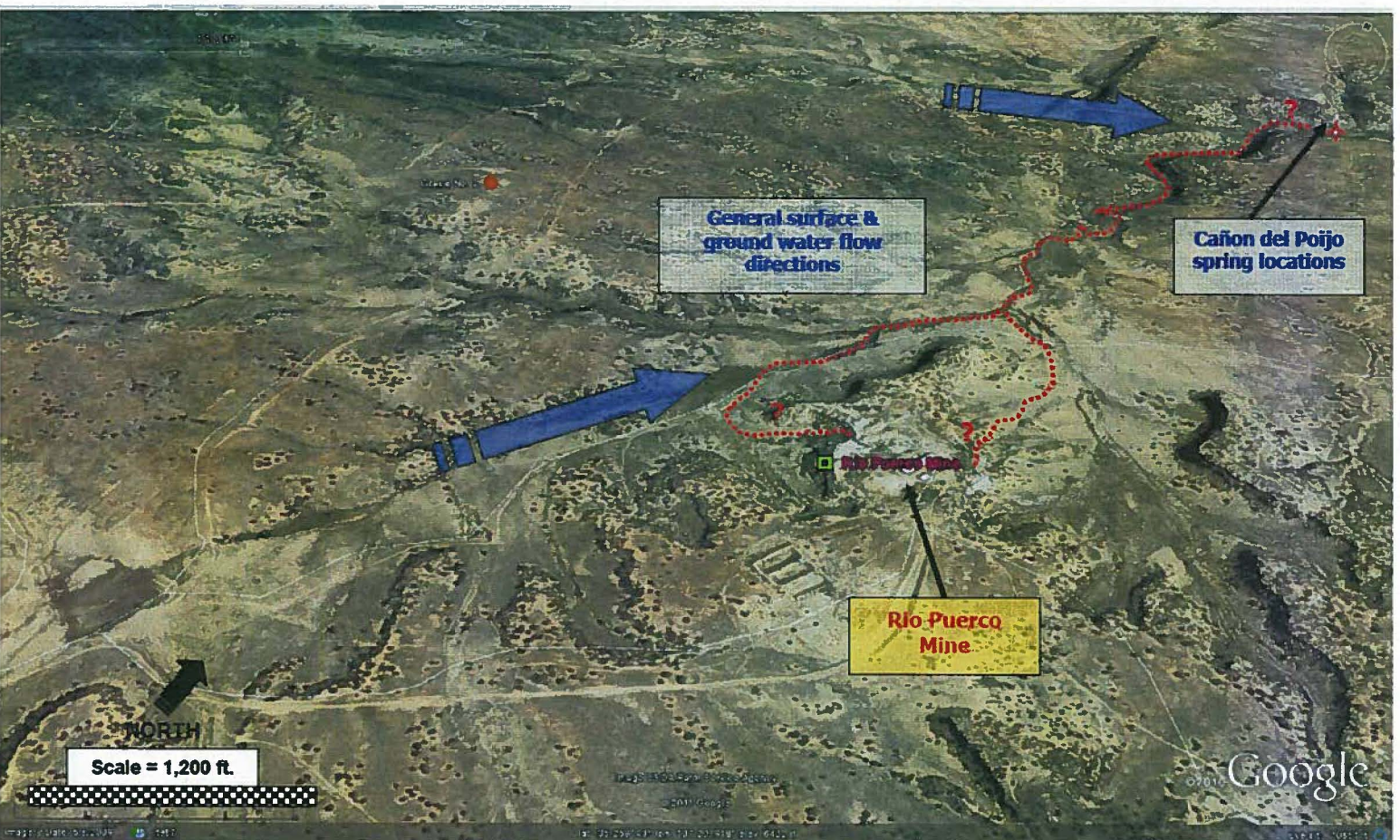


Figure 5. Google Earth aerial photograph of the Rio Puerco Mine showing the upper part of the ephemeral drainage for the Cañon del Pojo arroyo, north of Laguna, New Mexico.

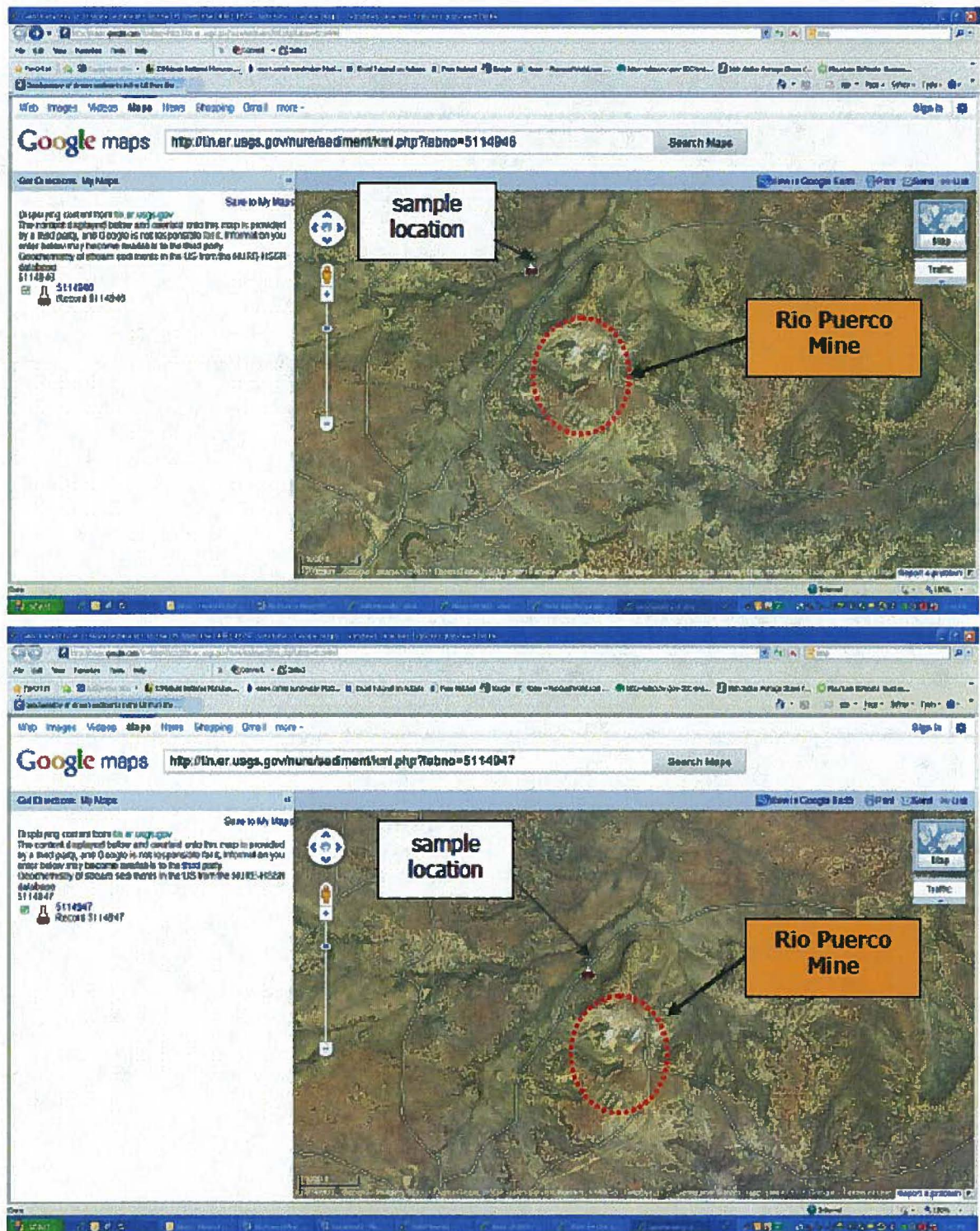


Figure 6. Google Maps showing location of the Rio Puerco Mine and the sediment sample locations from the National Uranium Resource Evaluation (NURE) project, Grants Mineral Belt Special Project, Grants, New Mexico.

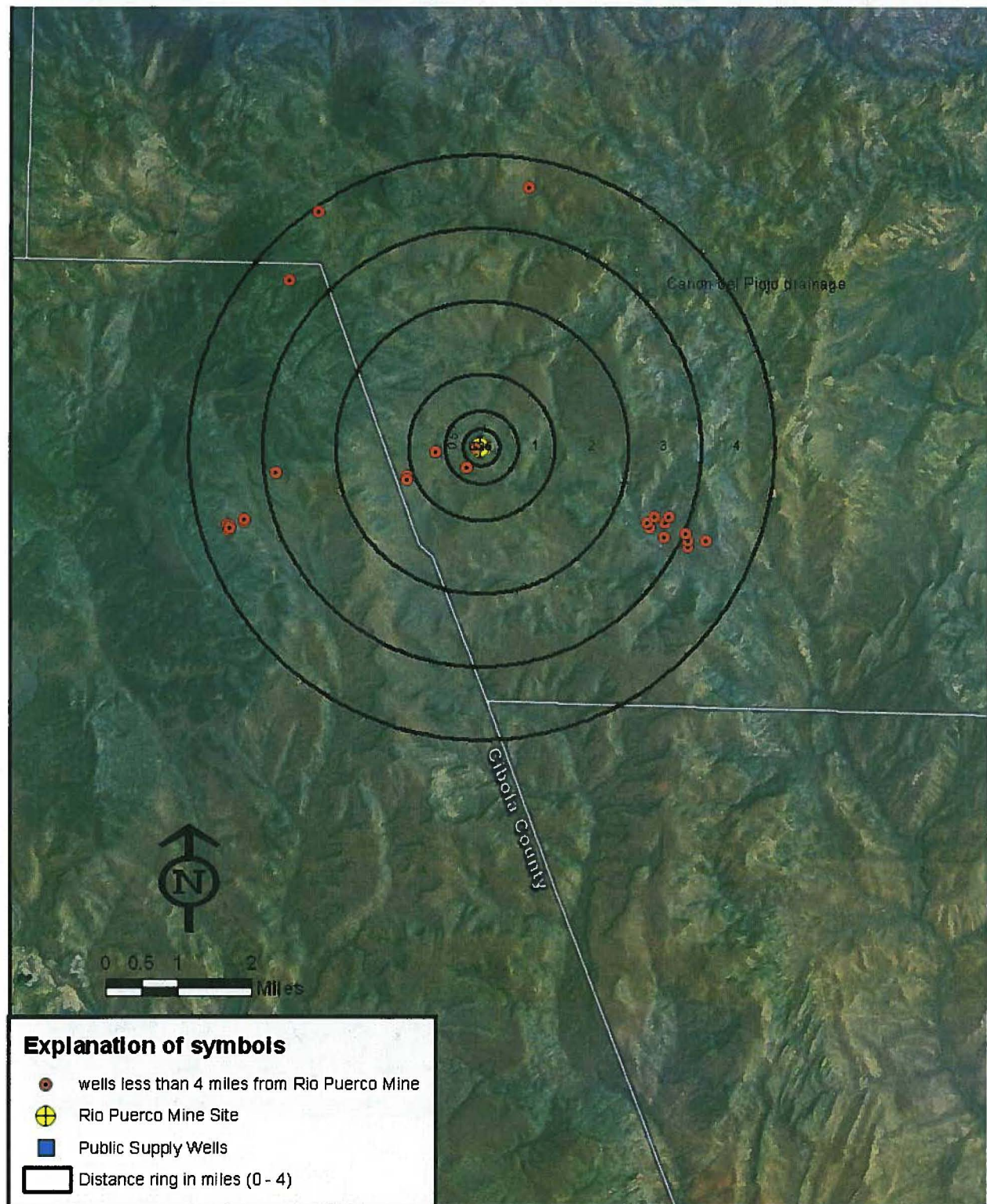
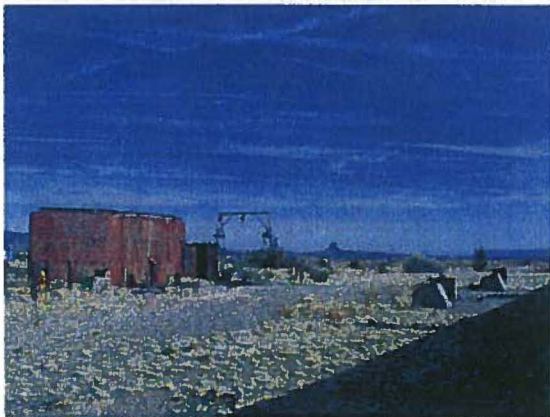


Figure 7: Wells within a 4-mile radius of the Rio Puerco Mine Site, Marquez Sub-district, Grants Mining District, north of Laguna, NM (OSE 2011).

Attachment B

Photographs (1-10) are from the Souder Miller 2008 report.



Headframe area



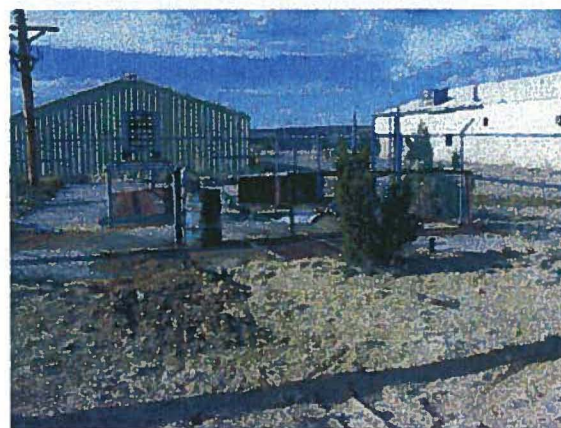
Site view



Storage containers



Pump station



Electrical yard with transformer oil spill



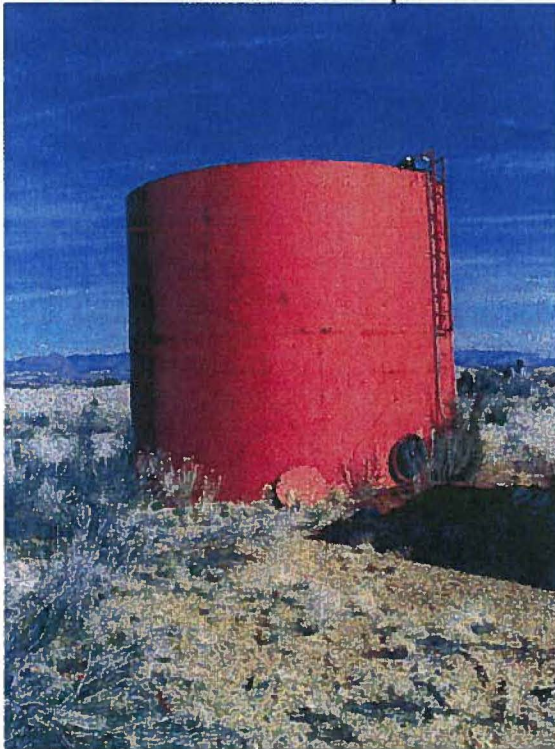
Transformer oil spill, recent tire tracks



View south into eastern-most pond



Interior of building



Water tank



Rock piles